

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
DARLENE LOPEZ,	:	
	:	08 Civ. 3367 (VM)
Plaintiff,	:	
	:	
-against-	:	<b><u>ORDER</u></b>
	:	
UNITED STATES POSTAL SERVICE,	:	
	:	
Defendant.	:	
-----X	:	

**VICTOR MARRERO, United States District Judge.**

Upon review of the Docket Sheet of this case the Court noted that the complaint herein was filed on April 4, 2008 and that the answer, in accordance with Federal Rule of Civil Procedure 12(a)(2), was due within 60 days of service on defendants. In papers filed with the Court seeking judgment by default, plaintiff asserts that service was made on defendants on April 17 and April 22, 2008. The Court's public file for this case contains no record that such answer has been made and that proof of service has not been entered on the docket. Accordingly, it is hereby

**ORDERED** that defendants herein are directed to inform the Court by September 8, 2008 of their contemplation with respect to defense of this case and show cause why default judgment should not be entered if service has been properly effectuated. In the event no timely response to this Order is submitted the Court may authorize judgment by default.

**SO ORDERED.**

Dated: New York, New York  
3 September 2008

  
VICTOR MARRERO  
U.S.D.J.

